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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,577	08/25/2003	Namit Jain	50277-2236	4090

29989 7590 01/22/2007  
HICKMAN PALERMO TRUONG & BECKER, LLP  
2055 GATEWAY PLACE  
SUITE 550  
SAN JOSE, CA 95110

EXAMINER

RADTKE, MARK A

ART UNIT	PAPER NUMBER
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2165

MAIL DATE	DELIVERY MODE
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01/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b> 10/648,577	<b>Applicant(s)</b> JAIN ET AL.	
	<b>Examiner</b> Mark A. X Radtke	<b>Art Unit</b> 2165	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Mark A. X Radtke. (3) Christian Nichols (Applicant's Representative).  
 (2) Tony Mahmoudi. (4) \_\_\_\_\_.

Date of Interview: 09 January 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: Skinner (USPN 6,085,198).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Nichols described the operation of disclosed invention and how it relates to claim 1. Mr. Nichols explained his reasons for asserting that Skinner does not anticipate the claimed invention (see attached sheet). Examiner Radtke asserted that database applications must generate tables and store them in the database format. The Examiner stated certain elements that were disclosed and described were not reflected in the claims. No agreement was reached..

Docket No.: 50277-2236

PTOL-413A (08-04)  
 Approved for use through 07/31/2006. OMB 0651-0031  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**Applicant Initiated Interview Request Form**

Application No.: 10/648,577 First Named Applicant: Namit Jain  
 Examiner: Radtke, Mark A. Art Unit: 2165 Status of Application: pending

**Tentative Participants:**

(1) Christian A. Nicholes (2) Mark A. Radtke  
 (3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 1/9/2006 Proposed Time: 2:00 (AM/PM) (PM)

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description:

**Issues To Be Discussed**

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _____	<u>Claim 1</u>	<u>Skinner</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

[xxx] Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

(1) Claim 1 requires that the creation of the "data structure" be performed "in response to" the invocation of "routines" that are "implemented by a program" that is external to both the loader application and the database server. The Examiner's position is that Skinner's "client" is the "program" of Claim 1 and Skinner's "application server" is the "loader application" of Claim 1. Additionally, the Examiner's position is that the creation of the "data structure," as recited in Claim 1, is the same as the creation of database tables in the database (as disclosed in Skinner, step 404). However, Skinner does not disclose that the database tables are created "in response to" the invocation of routines that are "implemented by" Skinner's "client" (the alleged "program"). Conventionally, the routines that create database tables in a database are implemented by the database server rather than any client that communicates with the database server. Nothing in Skinner indicates that Skinner's approach departs from this convention.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Christian A. Nicholes

Typed/Printed Name of Applicant or Representative

50,266

Registration Number, if applicable

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No.: 50277-2236

**CONTINUATION SHEET FOR:  
Applicant Initiated Interview Request Form**

Application No.: 10/648,577 First Named Applicant: Namit Jain  
Examiner: Radtke, Mark A. Art Unit: 2165 Status of Application: pending

**Tentative Participants:**

(1) Chirstian A. Nicholes (2) Mark A. Radtke  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

**Brief Description of Arguments to be Presented:**

(2) Claim 1 requires that the "data stream" be "generated based on said data structure." The Examiner's position is that "creating a data structure," as recited in Claim 1, is the same as the creation of the database tables in the database (as disclosed in Skinner, step 404). However, this position does not make sense, because if the "data structure" of Claim 1 was a database table that was created in the database and then populated with values, then there would be no need to also "generate, based on" the database table, a data stream that conformed to a format of data blocks of the database. Skinner doesn't disclose that any "data stream," which "conforms to a format of the data blocks of the database," is "generated based on" a database table that has already been created in the database.